FOR US IS TO SAY SHOWERS.

Mercury Got to 95 Up Aloft Here Yester. Barometer Has a Hostile Aspect.

The second of the big heat billows that Whitehall Building heights said that there grees were a trifle over 95 degrees of heat. bown on the lower levels unofficial reorders saw the Weather Bureau's best some thermometers being the limit. . But teen babies died directly from the heat. New York got off easy compared to some record for Eastern towns with 100 degrees; chany and Boston endured 98 degrees. while at Philadelphia and Washington the nercury reached its highest when it

he local bureau just now, predicted in is wise yesterday morning:

imbed to 96 degrees

"Barometric conditions are favorable for arother warm period. The maximum to write prescriptions for ice for babies temperature this afternoon will be above and the many sick. to degrees and about that figure Tuesday fternoon.

He was still of this opinion when he showers might wander this way. His successor on the job amid the Whitehall eaks was cheered enough by the shower that came along just before 7 o'clock to hazard a hope that perhaps it would he a little showery and cooler to-day There were gusty breezes late last night that felt as if showers were still hanging around as. Washington foresees the shower's, but the best it can say is "Not nte so warm.

As on last Monday, when the mercury climbed to 98 degrees and made a decade's record for these parts, the humidity was mercifully low yesterday. It was highest at 8 o'clock in the morning, when the Government thermometer marked only 19 degrees, and it dropped down to the middle and lower forties as the mercury limbed.

in the early afternoon the Weather Bureau's promise of "local thunder owers" seemed about to be made good. the artist who builds the New Jersey loud structures piled up the thunder eads. But it was all a bluff until 6:37 clock, when enough big drops pelted own to show on the rainfall gauge that 100 of an inch had fallen. The official record said that the rain lasted twentywo minutes By that time the mercury had dropped to 89 degrees and the showe ent it quickly down to 81. It wouldn't stay put, however, and climbed back to 6 at 9:30 o'clock

There was more rain in some other places. Pittsburg got 1.14 inches. Albany got 34 of an inch and Scranton 6. But the rain made things cooler in the cities where it had been hottest. At Hartford the mercury went down to 86, Albany saw a 12 degree drop, Boston lost 8 degrees heat, at Washington the mercury from 98 to 88. Philadelphia thermometers, however, were still recording 9? degrees at 8 P. M.

To add to yesterday's discomforts ice dealers had trouble in supplying the demand, which these days is running about per cent, above normal, and lots of folks who depend upon small dealers had to go without. Work horses suffered and Mayor Gaynor sent a request to Police Commissioner Waldo to have the olice see that loads were kept within reason. In his letter he said:

he other night when we rode up and a the territory where the experiment the fixed post is being tried we surprised at the number of dead rses in the street. I have been watching es ever since and I see many of them cloaded in the most cruel manner use take the matter in hand and have police instructed to interfere in all ases where horses are overloaded and if

The police reported one death attributed the heat in Manhattan. There were eventy-three prostrations in Manhattan. The Bronx and Richmond. In Brooklyn five deaths were attributed to the heat and thirty-five prostrations. A marine as overcome while drilling in the Brookyn navy yard, but recovered after treat-

John Landgren, a silversmith of 155 East Fifty-seventh street, died at his home last night. His death is attributed to the heat. He came home early in the evening, complained of feeling ill and ded before two physicians who had been

PROVIDENCE'S HOTTEST DAY.

and Factories Closed. VIDENCE, July 10 .- One death and a score of prostrations to-day are the re- Fresh foods have begun to soar in price. sults of a temperature of 99 degrees, the glest ever recorded by the loca Weather Bureau The 90 mark was reached at 2 clock this afternoon. It is two degrees

igher than that of the hottest day last

the man who died was Wright Spencer

there of the horse drawn vehicles the was in the Chamber of Deputies. at is using taxicabs with stretchers sary for them to sit up in the cabs. the big department stores closed afternoon and many of the mills ness houses took similar action. heat. Joseph Toole, aged 12, of the men discharged by the railways. erd on the Everhart farm near

change place, the business section of the BEST THE PROPHETS CAN DO town, the mercury touched 92 in the shade at 1 o'clock, and other thermometers went still higher.

PHILADELPHIA, July 10 .- Another day of heat descended upon this city to-day, day and the Little Shower at Nightfall with a score more of deaths and many Depressed It Only Temporarily The prostrations. It sent the mercury once more to 96 degrees and kept it in the nineties until into the night hours.

Weather conditions prevailed in this have gone over the city within eight days city between 7 and 10 o'clock which have have gone over the city within eight days smothered the perspiring town in its To have the mercury register 92 degrees rest at 1:10 yesterday afternoon when at 8 o'clock is a rare condition. After 10 he Government thermometer on the o'clock the thermometer showed 86 de-

CHICAGO, July 10. - Chicago and vicinity is in for three days more of baking and parboiling, according to weather forecasters. Sixteen deaths of adults had and raised it several degrees, the top of been recorded up to 10 o'clock and four-

neighboring cities. Hartford held the ICE \$25 A TON IN PITTSBURG.

Police Guard Pedlers to Prevent Them From Being Mobbed.

PITTSBURG, July 10.-Ice was selling here to-day at the rate of \$25 a ton. The upon the measure. regular price is \$2.50 to \$3. Ice dealers Forecaster Reed, who is in command of declare that the famine has assumed such a grave aspect that even cooler weather would not materially relieve conditions.

Physicians are finding it necessary

So desperate are the people for ice that the police found it necessary to guard a number of ice pedlers in the went off duty at 6 o'clock, although mobbed. There is not one pound of hill district this afternoon from being he did say that several small thunder surplus ice in any ice plant within a radius of twenty miles of Pittsburg.

Representatives of the big ice com panies in Pittsburg have gone to Chautauqua, N. Y., in the hope of getting supplies from the storage houses there The companies have instructed them to get the ice at any cost. Within the last twelve hours eleven deaths from the heat have been reported

INDIANAPOLIS, July 10.-Three increase of five cents a hundred pounds each by ice dealers on three consecutive days and the charge by one dealer that attempts were made to force him into the combination have caused the prosecutor to present the case to the Grand Jury under the State anti-trust law and an investigation will be undertaken at once.

The companies claim that the continued hot weather has exhausted their surplus stock and that they are not able to supply the demand. The price of ice earlier in the season was 30 cents a hundred, but it is now 45 cents. Patrons are served with only half the amount they order, the dealers saying they have not half the population of the State. enough ice to meet the demand.

CHICAGO, July 10.—Danger of the most serious shortage of ice since 1868 was made known to-day by managers of several of the largest ice companies in Chicago at the same time that they made an announcement of a raise in prices.

Extravagance in the use of ice, it was declared, would place Chicagoans in the action only after the fullest opportunity same predicament as the inhabitants of has been afforded to the people of the Hartford City, Ind., where the last 150 city to know what it contains. pounds of ice was distributed among the sick last Saturday.

purchased. To-day the Lincoln Ice Com- they contained.

CLEVELAND, July 10. President Norcalled upon Mayor Baehr to-day to help with certain other legislation." him recover 4,000 tons of ice which he charged had been confiscated at Toledo that the Legislature would complete all on the order of Mayor Brand Whitlock, pending legislation except the charter The ice, he said, was on its way to Cleveland, and would have profoundly affected will be taken until September or whether the local situation had it arrived

that suit would be brought against the session to pass the charter, was not de-Toledo Ice and Fuel Company unless the termined to-night. 4,000 tons were sent on at once.

"I don't blame Whitlock if he ordered confiscation," Baehr commented "I'd have done the same thing under the

circumstances. Mayor Whitlock's secretary at Toledo said Whitlock had nothing to do with the

confiscation of Norvell's ice. Norvell's story was that he had ordered 4,000 tons from Lake Wittemoran through the Toledo Ice Company and that the Toledo people seized the whole consignment when it reached their town Sunday. He said he had knowledge

that Whitlock ordered the seizure. Because of the ice shortage thousands of dollars worth of foodstuffs were dumped into garbage wagons to-day, spoiled by the heat. Eggs rotted by the thousands of dozens. Butchers found the meat decaying in their refrigerators.

"WAR" IN FRENCH CHAMBER. Paris Startled by the Newsboys-Only a Socialist Flareup.

Special Cable Despatch to THE SUN Paris, July 10.—This city was startled to-night by the cries of the news vendors in the streets that war had been declared last week, the horses used on the Rhode With the Moroccan affair in mind, the sland hospital ambulances are in such a crowds rushed to buy the extras, only to ondition that they cannot work to-day. find that the war that had broken out

strapped to the sides. In taking those lukewarm attitude of the Ministry refronce by heat to the institution it is towards the discharged railway emwas anxious to get out of the way before July 14, which is the date set for a recess ARESHARRE, Pa., July 10.—Heat and It was the desire to devote every moment y here to-day caused many pros- of the intervening time to the discussion and one death. Aubrey W. of the budget, but the Socialists interfered of Pittston, aged 8, succumbed with a motion calling for the reinstatement

There was an exchange of bitter words was found unconscious and and insults were hurled right and left. was found unconscious and and insults were hurled right and left. \$5,500; Charity Organization Society, dead from exposure to the hot they attended the sheep. The and this led to blows. In the midst of the tute Blind, \$3,000; Society for the Relief of Destiting attended the sheep. The and this led to blows. In the midst of the tute Blind, \$3,000; Legal Aid Society, \$8,000, society for the Relief of Destiting at the shade tunuit M. Brisson, the President of the and New York Infirmary for Women and dead from exposure to the hot Much of the language was unprintable eter reached 98 in the shade tumult M. Brisson, the President of the ity and exposed to the sun it Chamber, put on his hat and declared the session suspended.

NABELAGANNETT PIER, July 10 .- Narra- When it was resumed the Government ganastt experienced the hottest day of the was sustained by 433 to 86.

NOT QUITE SO WARM TO-DAY season to-day when the mercury regis- NO NEW CHARTER UNTIL FALL

DIX SAYS PEOPLE MUST HAVE TIME TO UNDERSTAND IT.

He Advises Legislature Against Hurrying the chauffeur, Oscar Bruen, had picked Special Session to Clean Up the Europe with his wife. At Eighty-fourth Democrats' Uncompleted Programme

ALBANY, July 10 - Gov. Dix notified the riedly. This was construed as an intination from the Governor that the charter after the people have had a chauffeur jumped. chance to look it over and suggest amend-

A session in September also would be the United States Senate acts favorably

Gov. Dix's statement stirred the legislators for a time, but finally it seemed to be the general opinion that this was the at a drug store he went home. best disposition of the charter question after all. Those who are framing the charter had evidenced a desire to get it through as soon as possible, while the great majority of legislators matter have been kicking for some time against the Legislature being held in ession merely to pass the measure

The suggestion of the Governor is con sidered by some politicians as an excuse for calling the Legislature together in the fall to clean up legislation which may be overlooked by the Democrats at the regu ar session.

This is the statement issued by Gov Dix to-night:

"A charter for the city of New York too important a matter to be hurried. either in its preparation or in its treat ment by the Legislature. The people of the city can know little of the changes intended by the charter until the docunent is put before them in its final form.

"After the proposed charter amend-ments have been submitted to the Legislature, the citizens and taxpayers of the municipality should be given ample time to understand and digest their provisions especially is this true when radical nanges are contemplated.

"No city charter should be acted upor in haste by the Legislature-certainly no charter for a city which contains one

"After consultation with the legislative leaders I do not expect that at the very end of the session, when adequate deliberation and discussion is well night impossible, the Legislature will send to me for my action a New York city charter. I shall consider a charter for Ne York with a view to favorable executive

Senator Cullen, chairman of the Senate Cities Committee, said to-night that it The big ice companies assumed their had never been proposed to push the new role as "economics tutors" last night New York city charter through the Legiswhen the Knickerbocker Ice Company lature without at least one hearing. His proclaimed its new schedule to business committee, Senator Cullen said, had from 81/2 to 10 cents per 100 pounds, de- Gaynor charters in New York city and be pending upon the trade and the amount lieved practically everybody knew what

pany followed by announcing a raise of 5 "There was never a desire on our part, cents per 100 pounds for ice to the family said Senator Cullen, "to deprive any one \$50,000. Then she will have to explain mission will direct the issuing of transfers trade. The new price is 40 cents. Other of the right to become thoroughly familiar companies although not making definite with the new charter. We had the charter announcements declared that a raise was workers hard at it here, necessarily outprobable before many days. The hot side the reach of everybody because it weather, said one dealer, had not played was a difficult piece of work and men enso serious a prank with the ice situation gaged at it did not want to be disturbed. Now of course the charter must go over until, I presume, September next, whe vell of the City Ice Delivery Company we will be called back to pass it along

It seemed to be the opinion to-nigh by July 20 or 21. Whether a recess then final adjournment will be effected ther Mayor Ba telegraphed to Toledo leaving it to the Governor to call a special

MAINE FORESTS LLAZING. Many Miles of Timber Destroyed Work to Check Flames Futile.

BANGOR, Me., July 10. Fierce forest fires that nothing short of a gneral downpour of rain for two or three days can quell are waging in the vicinity of Moose Head Lake and to the West, destroying acres of thousands of acres of Maine's finest timberlands and causing loss of hundreds of thousand dollars. Thousands of men are making every effort to check the progress of the fires, but with little

Word comes from Moose Head that the situation is serious with the fires spreading every day. Over the lake and towns about it, there hangs a pall of smoke. Fires are burning on almost every side. Since Monday, July 3, fourteen fires have broken out on the east side of Moose

Head.

The fire patrols have been doubled in number and the lookouts on the mount of the mount o tains are in constant communication with headquarters. The worst of the fires now burning is the one that started some days ago in Enchanted township, about twelve miles south of Jackman. On Monday this fire had spread over 10,000 acres of timberland, some of it virgin

timber owned largely by Lawrence Bros. & Co. of South Gardner.
Over 500 men are engaged in fighting the fire on this town, but have met with was in the Chamber of Deputies.

There the Socialists, enraged by the lukewarm attitude of the Ministry towards the discharged railway employees, have threatened to block the passage of the budget which the Chamber was anxious to get out of the way before

\$100,000 for a Convalescent Home, The will of Adele A. Dortic, who died at 9 East Forty-seventh street on June 21

last, leaves \$100,000 to the Presbyterian Hospital to build and maintain a home for convalescents. Other bequests are: St. Thomas's Protestant Episcopal Church \$15,000; St. Luke's Home for Aged Women. Children, \$3,000.

DEWRY'S SUPERIOR PORT WINE. H. T. DEWEY & SONS CO., 126 Fulton St., N. Y.

TWO AUTOS BURN ON BROADWAY. C. C. RUMSEY INJURED AT POLO LIVE WIRE KILLS TWO GIRLS. BINGHAM QUITS NEW OFFICE Occupants of a Taxi Thrown Out When It

Skidded Into an Empty Motor Car. A black taxicab slid up Broadway AT ROCKAWAY CLUB.

through the shower early last evening Inside were a man and a woman whon With So Big a Job May Lead to up at the Cunard pier. The man had said that he was a physician returning from street the taxicab began to skid

It slithered broadside into the touring car of Templeton W. Wood, which was Legislature to-night that he would not standing empty on the southeast corner approve a new charter for New York city | The shock sprung the gasolene tank in the if it was passed by the Legislature hur- touring car and the gasolene became ignited as it poured out. The occupants of the taxicab were thrown out and their Legislature should complete its work with Luckily they were thrown outside of the faces and hands were cut by broken glass the exception of the charter and then come range of the flames which were licking back, perhaps in September, and pass the at the bodies of the two machines. The

A big crowd gathered in no time and i ook the reserves from two stations to keep them in order. When the firemen arrived the flames were shooting up to late enough to pass a Congress reappor- the second stories of the buildings in the tionment law for New York State in case neighborhood. As the crowd surged back to make way for the engines Richard O'Keefe of 335 West Eighty-fifth screet was pushed through the window of a fruit store at 2314 Broadway. Hewas cut about the arms and face. After being treated

The two people from the taxi made their way to the same drug store. The man had to help his companion, who was almost in a faint. At the drug store they were advised to find a physician and they went to Dr. Louis Kaufman at 272 West who have no personal interest in the Eighty-fourth street, who bandaged them up. They went on their way without telling him their names. The Carmania locked last night.

The two automobiles were burned up completely. Mr. Wood, who had been calling in the neighborhood with his wife said that his car was worth \$6,000.

12 YEARS TO MAKE A INTO O. Mrs. Kempner May Have to Begin All

Over on a Will 25 Years Old. Mrs. Emma Barrenechea Kempner, who as been suing for twelve years, may have to start all over to get a bequest of \$50,000 under the will of José Sevilla, a sea captain, a naturalized American. who died in Peru in 1886, leaving the bequest to the "hija." or daughter, of his nephew. Don Pedro Benjamin Barrenechea, who lived in Canada. The atter had no daughter, but he had a son, who was the first husband of Mrs. Kempner and is now dead. Before Mrs. Kempner got around to sue the estate on the ground that the word "hija" was intended for "hijo," which means son, the estate had all been distributed except property at 166 West Twenty-second street, which was then put in the hands of a receiver on Mrs. Kempner's claim that she was entitled to have the beques paid out of the proceeds of the property

f there was nothing else left. When Mrs. Kempner sued she elected bring her action against Leopold Barrenechea, the ancillary executor, individually, and she recently got an attachment against his property. renechea asked Supreme Court Justice Page to vacate the attachment on many grounds, one of which is that the plaintiff

has no cause of action against him. The court vacated the attachment o the legacy she must get it in an appro priate action against the executor as such and not individually. The court says it will be necessary for her to sue why she waited thirteen years in the at more than 150 street intersections. first place to demand the legacy, and laws of that country.

GAYNOR TO PRESIDENT BUTLER. Why Not a Paid Board of Education Like Paid College Presidents?

Writing yesterday to President Butler of Columbia Mayor Gaynor said of the reasons that induced him to favor a small paid Board of Education

I am opposed to changing the Board of Education from the present large board to a small hoard unless the members of the small board are to be paid. I have care fully read all you have written to me, and i does not change my mind on that at all. The Ivins Charter Commission several years ago made a report against the present large board and its efficiency. The Hammond Charter of two years ago and last did the same thing. Both recom-

mended a small board. I took the position on careful considera-tion that we should not go to a small board unless it be a paid board. I do not want to have to appoint a small board to devote the necessary time to the doing of the ork unless he members can be paid. I do

for nothing. Do you? A strange thing about all this is that I read and hear that "Tammany," as it is alled, is trying to have a small paid board. The truth is the very opposite. I have been spending my time with the political leaders tho come under that title trying to persuade them to keep the present large board uness the small board be paid. I am wholly unable to see how the seven men whom shall appoint will be made less effective by being paid. As to the notion that seven ideal rich citizens will come forward to do the work for nothing, I am not idealist enough to believe that. I should be more ready to believe that an ideal min, like yourself. would be ready to come forward and serve On as president of Columbia University without W. J. GAYNOR, Mayor. pay.

CLARENCE DARROW TO QUIT LAW Will Give Up Practice at End of the Los

is Chicago apartment, dissolved his law partnership and resolved on the completion of his present case to retire from practice and abandon Chicago as a place

residence.
The firm of Darrow, Masters & Wilson was dissolved a month ago, it was learned to-day. The dissolution was due to Mr. Darrow's ill health, advancing years and desire to devote the rest of his life to study and literary work rather than to the drudgery of the law.

LOUIS MARTIN'S.

42nd St., B'way & 7th Av.
America's Streatest French Restaurant
Luncheon, Afternoon Tea, Dinner and Supper.
Coolest and best ventilated Dining Rooms.

PONY ROLLS OVER HIM IN GAME

Mrs. Rumsey, Who Was Miss Harriman, Summoned to Clubhouse Injuries, Not Deemed Serious, Received When Rumsey and Stevenson Pontes Crashed.

In a polo game yesterday at the Rockway Hunting Club C. C. Rumsey was hurt in a collision with Malcolm Stevenon and was taken unconscious from the field. Both players were on the same team. Mr. Rumsey married Miss Mary Harriman, daughter of the late E. H. Harriman. Last spring while Mr. Rumsey was practising at Lakewood for the international cup polo games a boy was born to them.

Mr. Rumsey and Mr. Stevenson were on the Cooperstown team, which opposed the Meadow Brook Magpies. The mishap occurred in the fourth period and it ended the game, the score then favoring the Magpies by 6% to 6 goals. It seemed to be conceded by the onlookers that Stevenson had the right of way with the ball and that Rumsey had crossed him at the force, warned the children and on heardangerous angle that is forbidden by the

Von Stade of the team had made a goal and the hopes of his teammates ran high that they might gain another and the lead. Rumsey in overzeal crossed Stevenson and the ponies of the two came together with a thud. Rumsey had his nag in hand while Stevenson had been riding with a free rein and the saving ad-

vantage of impetus was with him. Rumsey's pony seemed to melt like jelly under the impact and it went down n a heap. Rumsey fell under the pony which turned an absolute somersault over his prostrate body. That he escaped more severe harm is due perhaps to his body having been under the bridge former by the pony's withers and shoulders as the animal flew over him from the speed it had when it fell.

As Rumsey lay still the players dismounted and approached him, as is always done in a polo accident, for it is odds on nearly every time that the rider will be up before any one can reach him. Stevenson raised Rumsey's head to his knees and all fanned him, while servants rushed up with glasses of ice water and small flasks of spirits. Dr. William Anderton of Cedarhrust was one of the onlookers at the game and he at once approached Rumsey and put all the zealous first aid enthusiasts out of the case.

Under Dr. Anderton's advice Rumsey was carried on a stretcher to the clubhouse. At a late hour last night it was said that no bones had been broken and that the injuries were not deemed to be serious. Mrs. Rumsey had been summoned from Westbury, where the couple have taken a house for the season. At that time her husband was resting easily.

Dr. Anderson said late last night that Mr. Rumsey's condition was improved and his recovery likely.

TO ORDER SURFACE TRANSFERS. Public Service Board Will Do It To-day Fight in the Court Sure.

Chairman Willcox announced yesterand said that if Mrs. Kempner is entitled day that at the weekly meeting to-day the Public Service Commission at order would be made directing the street lines of this city to restore the transfer privileges which existed before the Metroto construe the will in order to ascertain politan system was disintegrated. The order which will be adopted by the com-

In its resolution the commission will finally whether under the laws of Peru call for the holding of a public hearing she is entitled to anything, since the on August 15, when the receivers of the estate has been distributed under the different lines will have an opportunity to state whether or not they will obey the order. There is no question as to what their reply will be. They will refuse to obey and then will begin court proceedings on the part of the commision to enforce the penalties provided for in the public service act, which will be met by the companies with the contention that the commission is without authority o compel one company to transfer pas sengers to another for a single fare.

Every surface line in Manhattan will be affected by the order and it will include every north and south line. These are some of the more important crosstown points where transfers must be issued should the order of the commission be upheld:

Sixth, Eighth, Ninth, Tenth, Fourteenth Seventeenth, Eighteenth, Twenty-thir Twenty-eighth, Twenty-ninth, Thirty fourth, Forty-second, Fifty-ninth, Eighty Stuyvesant street, St. Mark's place ouston, Stanton, Spring, Delancey Houston, Broome, Duane and Ann streets and Aston

Grand, Canal, Beach, Vestry, Desbrosses Walker, North Moore, Cherry and Monro streets Jane slip, Battery place, Cortlandt, Cham-

ers, Watts and Christopher streets.

Also at the junction of St. Nicholas avenue and Eighth avenue and at Manhattan stree north and south on Amsterdam avenue.

CHARTER PROTEST. legislature Told That the People Have the Right to Be Consulted.

petition signed by officials of the City Club, the Civil Service Reform Association, a committee of the Bar Association, the Public Education Association. the Allied Real Estate Interests, the Citi zens Union, the Brooklyn League and the Greater New York Taxpayers Conference was sent yesterday to the members of the State Legislature protesting against any attempt to pass the proposed new charter until an opportunity has been given to the people of the city to study it and to pass an opinion upon it. The petition said:

"To force upon the people a charter of which they are ignorant would be to deny to the citizens of New York city the right to be considered or consulted as to their form of government. Home rule becomes a farce if a charter is passed which the citizens have no opportunity to

Special Cable Despatch to THE SUN. MESSINA, July 10.-Five distinct shocks of earthquake occurred here to-day within a few hours. No lives were lost, but there is the gravest feeling of appre-hension among the inhabitants of the city.

TO RELIEVE INSOMNIA take half tea-spoonful Horsford's Acid Phosphate in water— Quiets nerves and induces refreshing sieep.—Adv.

It Was Dead When They Began Playing

With It, but It Came to Life. EAST RUTHERFORD, N. J., July 10 .-Two children were shocked to death here to-night and two badly burned in playing with a wire hanging from an arc light. It was harmless until the current was

switched on at dusk. The dead are Jane Ferguson Barclay, the seven-year-old daughter of Mr. and Mrs. Malcolm Barclay of Carlton avenue, and Reubena Parks, the ten-year-old daughter of Samuel Parks, who lives in the same house with the Barclays. The burned children are Malcolm Barclay, Jr., 5 years old, and Jeanette Davies, an adopted daughter of Mrs. Parks. Dr Brooks, who was called, thinks that they will get well, though their burns are

The children went out after supper and were playing with the wire. When the current was turned on from the power house two of them were instantly killed and the others, screaming with pain,

ran into the house. The wires of the public service corporation cross Carlton avenue here and it was from one of its lines that the loose wire was hanging. Before the current was turned on a man named Kelly, an ex-member of the Rutherford police ing their screams he ran up and pulled them away from the wire. The Barclay boy was not as badly injured as the Davies girl, who was burned about the hands and face.

Malcolm Barclay is a clerk in mills here, and Samuel Parks is employed in the Brown-Bowley brass foundry

Coroner Tracy will hold an inquest to-morrow

PEAVEY FIRM MAY RETIRE. Banks Start Inquiry After Drowning of James Pettit of Chicago.

CHICAGO, July 10.-Close upon the death of James Pettit, who was found dead from drowning in Lake Michigan near the Morain Hospital Saturday mornling, came the report of the retirement from business of the firm of which he was president and general manager. To-night number of telegrams were sent out by the Peavey Grain Company to its agents and customers all over the country. It was said that owing to the death of Mr. Pettit, the company had decided to retire from the commission business in hicago.

The Peavey Elevator Company, which s a separate corporation and whose trademark (P. V.) may be seen on the elevators of almost every agricultural entre in the country and lake and Mississippi steamboats, is not affected.

The retirement of the grain company ollowed meetings of officers of the First National Bank, Corn Exchange National Bank and possibly other Chicago banks vesterday afternoon. The tragic ending of Mr. Pettit's life is said to have a bearing on this action. Inquiry was set on foot by the banks on the first business day following his death.

An official of the Corn Exchange Bank out the amount of the money involved Bingham was asked. at \$750,000. He said, however, that he thought the banks would be secured by the warehouse certificates for wheat put up as collateral and also by the Peavey action during the whole two months that interests in Minnesota, though the Peavey I occupied the office of chief engineer. Grain Company is a separate corporation from the Peavey Elevator Company. volved it will not in any way affect F. H.

Peavey Grain Company will lose nothing." GOVERNOR STOPS RACING.

Peavey & Co. and the creditors of the

Orders Pool Selling Stopped and Woonsocket Track Closes Up. PROVIDENCE, July 10.-Gov. Pothier has ssued instructions to Sheriff Andrew J Wilcox of Providence county to stop all pool selling in connection with the races at the Woonsocket Trotting Park, which were to open this afternoon. He also gave Sheriff Wilcox orders to see that the North Providence gambling resort was closed

Sheriff Wilcox told a reporter this afternoon that he had detailed Deputy Sheriffs Bouley and McCusker at the Woonsocket rack to see that the orders 'of the Governor were carried out in that city or in the town of Smithfield, just across the ine. With reference to the North Provilence resorts, the Sheriff said that he carried out to the letter.

When Deputy Sheriffs Bouley and Mcof the Woonsocket track, shortly before noon to-day and gave the orders from the instances. Governor, Mr. Cook immediately called five-day meeting. The races open at Dover, N. H., one week from to-day and

DREXEL TO FLY HIGHEST. to Beat Records.

Special Cable Despatch to THE SUN.

LONDON, July 10. J. Armstrong Drexel, r., is making preparations for an attempt to break the altitude record which was made by the late Arch hoxsey at Los Angeles last December.

TOMATO NAMES PRESIDENT. Gov. Marshall Honored by Man Who Called Roosevelt and Taft.

Indianapolis, July 10.-Harvey M Cook of Avondale, Pa., has nominated Gov. Marshall for the Presidency next sent to the Governor. That such a nomination is effective. Mr. Cook asserts, is proved by the fact that he nominated Taft and Roosevelt in a

similar manner.
Each tomato bore on its ruddy surface chief engineer.
Each tomato bore on its ruddy surface chief engineer.
Gen. Binghan Each tomato bore on its ruddy surface the inscription "Thomas R. Marshall, 1912." The manner of its coming there was obvious. The grower had stitched some sort of fibre to the skin of the fruit while it was green, and the subsequent growth had made the letters appear, except for the stitches, as a part of the skin. In a letter to the Governor Cook said by In a letter to the Governor Cook said he was the originator of the process by which tomatoes may be made to make Presidents. All he asked in return, he

FIVE DAILY TRAINS TO COLORADO.

Via Rock Island Lines from Chicago and St.

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Broadway.—Adr.

said, was the Governor's autograph.

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COULD "GET NO ACTION" FROM M'ANENY ABOUT PAVEMENTS.

Started Out to Make Paving Companies Do Their Contract Repairs-Got No Support - His Recommendations Were

Negatived and His Report Burked.

Gen. Theodore A. Bingham has thrown up the office of Chief Engineer of the Bureau of Highways, to which Borough President McAneny appointed him at the beginning of May. Gen. Bingham was removed as Police Commissioner by Mayor McClellan on the complaint of Judge Gaynor, now Mayor. The Mayor did not object to his appointment to his new office and said he was a good engineer. Gen. Bingham still has a \$100,000 libel suit pending against the Mayor and has won the preliminary skirmish in it on appeal, substantial parts of the answer being struck out. It was to be Gen. Bingham's special job in his new post to make the paving contractors live up to their repair contracts. Nobody has ever done this, but he tackled the job. Now he has given it up. He said that his methods did not fit in with those of the Borough President's

administration. Last night when Gen. Bingham gave out the text of the letter he had forwarded to Mr. McAneny earlier in the day he took pains to specify that there had been no break between himself and the man who had appointed him. "Please say for me that my relations with Mr. McAneny have been the most cordial." he said, "and that I am leaving office with the highest personal regard for the

Borough President." "Has any action by Mayor Gaynor of interference or opposition led you to determine upon leaving your office?" Bingham was asked.

"Positively no," he said. "I have not

come into contact with the Mayor in any

way, nor has he come into contact with

any of my work." This is Gen. Bingham's letter: MY DEAR MR. MCANENY: Referring to what I said to you on July 7, after over two months of diligent work, I find that my methods of administration and for

getting things done do not fit in with those of your administration. I am not willing merely to hold this office and accomplish no important work. I therefore hereby resign from the office

of Chief Engineer, Bureau of Highways, Department of Public Works, Borough of Manhattan, to take effect at the close of ousiness hours to-day. Wishing you all success and regretting that I cannot help you as I had hoped to do, I am, with highest regards, very

sincerely yours, THEODORE A. BINGHAM. "In what way did your methods of dministration fail to fit in with those of Mr. McAneny's administration?"

"I'll just say one word in answer to that and will not discuss the matter further," he answered. "I couldn't get any

President McAneny said last night that Gen. Bingham had called upon him last St. Paul, July 10.—F. B. Wells, vice-president of F. H. Peavey & Co. of Minne-of the Highways Department were showapolis, said to-night: "Creditors of the ing no disposition to aid him in improv Peavey company may be assured of one ing the condition of the city's streets thing. If the company is found to be in- and that without the full support of the bureau he was helpless. Gen. Bingham had added on that occasion because o this state of affairs he believed that he

> was useless and had better resign. "And you let him resign?" Mr. McAneny was bsked.

"I could do nothing. I couldn't remove any of the men in the bureau because they are all civil service officials." Mr. McAneny was asked if to his knowledge Gen. Bingham had been hampered in carrying out his plans for the betterment of the pavements by any influence the paving companies might have been able to bring to bear.

"Not that I know of," the Borough President answered. "All that I know is that Gen. Bingham told me he could not get cooperation between himself and the highways department and that he would resign rather than continue to work longer under conditions that were unsatisfactory to him."

In his conversation with the reporters last night Gen. Bingham said that before would take immediate action and the he had been in office a month he had suborders of the State Executive would be mitted a report to the Borough President upon the condition of the city's streets the inadequacy of the efforts made to Cusker called on Barton A. Cook, manager improve them systematically and the necessity of improvement in specific

"The report was a thoroughgoing all races off. There are 160 horses stabled engineer's report," said Gen. Bingham. at the track ready to participate in the "and it was in the province of the chief engineer of the bureau of highways to submit such a report. Perhaps it was many horsemen will ship to Granite State
Park within a day or two. The Governor's action kills horse racing in Rhode

of Mr. McAneny to publish this report,
but he declined to allow its publication. but he declined to allow its publication. He told me that he considered the report an indictment of his administration That was not the intent or the import of

the report at all." Current report at the City Hall yesterday was that there had been friction between Gen. Bingham and Edgar V. Frothingham, Commissioner of Public

Works, his immediate superior. When Mr. McAneny appointed Gen. Bingham he told friends that he had called in the former Police Commissioner to help him put the city's streets in order This was at the time that general criticism was being passed on the holes in the streets, the Automobile Association of America being one of the chief protestants. Mr. McAneny told Gen. Bingyear with two tomatoes which have been ham to go ahead and do what he could, and added that he was so busy with the subway problem that he was only too glad to leave the highways department in the hands of the Commissioner and the

Gen. Bingham had been in office only a few weeks when he rejected wood paving blocks that the Barber Asphalt Paving Company was about to lay in several streets of the city, and he ordered the tearing up of asphalt which had been laid in other streets because it did not come up to the standard provided in the contract. A newspaper article said at the time that he "had declared war on

the paving trust." When Gen. Bingham took office, so it i said, Mr. McAneny assured him that he should have all the help he needed. Gen

called arrived. He was 55 years old. Ambulance Horses Worn Out and Stores